

DEMOCRACY UNDER LIMITED AUTONOMY

THE DECLARATION OF PRINCIPLES
AND POLITICAL PROSPECTS IN
THE WEST BANK AND GAZA STRIP

NEIL PARTRICK

Jerusalem 1994

PANORAMA

DEMOCRACY UNDER LIMITED AUTONOMY

**THE DECLARATION OF PRINCIPLES
AND POLITICAL PROSPECTS IN
THE WEST BANK AND GAZA STRIP**

NEIL PARTRICK

February 1994

**Published by:
PANORAMA**

Centre for the Dissemination of Alternative Information

**10, Nur Eddin St,
P.O. Box 20510,
Jerusalem.**

Tel: 972 -2- 281151

Fax: 972- 2- 283351

The Centre for the Dissemination of Alternative Information

PANORAMA Centre for the Dissemination of Alternative Information was set-up in 1991 to serve as a Palestinian centre for the promotion of democracy in the West Bank and the Gaza Strip. It garnered particular attention last year by staging the very first Palestinian conference on democracy, held at Birzeit University and in Gaza City. A verbatim transcription was published by PANORAMA in Arabic, in addition to a summary of the proceedings in English. PANORAMA is presently organising its second conference on democracy, which will be held again at Birzeit and Gaza City around September 1994, before transferring to Amman, Jordan shortly afterwards.

PANORAMA has also held a number of workshops and seminars designed to promote both the discussion and practice of democracy in the Occupied Territories, by focussing on leaders of key Palestinian grassroots institutions in the fields of women, labour, health and agriculture.

PANORAMA regards the facilitation of a plurality of sources of information as a vital prerequisite of democracy, and has been providing Palestinians with an alternative to the more predominant media message locally. In this respect, it has staged numerous seminars and subsequently published their proceedings in Arabic, among them being *Palestinian Journalism Under Occupation*, *Confronting Political Taxes*, and the imminent publication of the proceedings of a seminar series and recent study day on Jerusalem. PANORAMA's concentration on what it considers the insufficiently addressed issue of Jerusalem, is further evidenced by a series of symposia it held in June/July 1994 on the Old City and its future. PANORAMA has also just published an updated analysis, also in Arabic, of the various Israeli autonomy proposals. In addition, PANORAMA is planning to publish a monthly newsletter which will highlight the issue of human rights and their dependence on the overall democratisation of Palestinian society.

The English publication of *PALESTINIANS IN PROFILE - A Guide to Leading Palestinians in the Occupied Territories* - in December 1993 was designed to extend PANORAMA's role as an alternative information source for the international community. PANORAMA is presently compiling a new, updated edition scheduled for publication in early 1995.

PANORAMA would like to thank all those who agreed to be interviewed for this publication; indeed all the individuals who assisted in various ways, not least Valerie Grove for proofreading it.

PANORAMA would like to add that it does not necessarily share the opinions expressed by the author and the interviewees in this publication.

DEMOCRACY UNDER LIMITED AUTONOMY - The Declaration of Principles and Political Prospects in the West Bank and Gaza Strip is a copyright publication of PANORAMA - The Centre for the Dissemination of Alternative Information. No portion of this publication can be reproduced, wholly or partially, without the publisher's permission.

CONTENTS

Preface	I
Introduction	V
Chapter 1 - <i>The Declaration of Principles & Democracy</i>	1
Chapter 2 - <i>Democracy & the PLO</i>	13
Chapter 3 - <i>Palestinian Civil Society & The Intifada</i>	23
Chapter 4 - <i>The National Authority</i>	37
Chapter 5 - <i>Elections & The Role of the Opposition</i> - <i>Will They, Won't They ?</i>	47
Chapter 6 - <i>Palestinian Civil Society & Democracy</i>	59
Conclusion	71
Bibliography	87

PREFACE

Any examination of the Declaration of Principles (DOP) signed by the PLO and Israel in Washington DC, on September 13th, 1993, in terms of what contribution it could potentially make to the furtherance of democracy in the West Bank and Gaza Strip, will be, by definition, problematic. Focusing on what is merely an outline of principles concerning an as yet undiscussed Interim Agreement, in the hope of extrapolating the prospects for democracy, is liable to make any conclusions inevitably speculative and prone to being rapidly overtaken by events. The seeming threat to the peace process wrought by the fall-out from the Hebron massacre on February 25th, 1994, is a case in point.

Despite the difficulties inherent in making predictions, I have endeavoured throughout this case study to address the central issues surrounding the potential for the exercise of democracy during Palestinian self-rule. In doing so I have examined in detail the DOP itself, and focussed on recent Palestinian political history - including relations between the PLO "outside" and Palestinians living "inside" the Occupied Territories - before examining the prospects for democracy under the incoming authority. I have extensively utilised the opinions of spokespeople for the key groups locally, under the assumption that it is the factions that will determine political developments in the Palestinian sphere. I have also given considerable space to respected Palestinian observers of the domestic political scene, whose comments provide useful insights into the longer-term problems of actualising democracy in the Palestinian community.

It is with the Palestinians, and the degree of democracy that they can realise, that this research is primarily concerned. The limitations on their fullest enjoyment of democracy that the constraints on self-rule in the Agreement made with Israel will engender, are examined extensively in Chapter 1. It is the constraint on the practice of *territorial* autonomy represented by

settlements sub-dividing the Occupied Territories, and the lack of any guarantees of legislative empowerment, that have led me to entitle this paper *Democracy Under Limited Autonomy*. However, the majority of the paper focuses - in the context of the inevitable limitations imposed by a redeployed occupation - on the degree to which democracy will be the dominant concern of *Palestinians*, both in Palestinian civil society and in the decision-making structures of the envisaged "national" authority itself.

I approached this topic on the basis that democracy under the DOP would, like any exercise in limited autonomy, be severely constrained by obvious limitations on legislative empowerment, but that there was an opportunity for the proposed authority to practice what might be confined to merely municipal autonomy, on a democratic basis. My working hypothesis was that even this limited exercise in democracy would face numerous difficulties as a result of three main factors: (A) the limitations of the DOP encouraging civil strife in the Palestinian camp. (B) The history of subordination of Palestinian political development "inside" to the PLO "outside"; assisted by (C) the control of the faction leaders outside over their respective power structures inside.

(A) Limited authority given under the DOP could result in severe political divisions that would destabilise the self-rule "experiment", not least because the settlements that ensure that autonomy is limited would have to be protected by the Palestinian authority.

(B) The West Bank and Gaza Strip's tradition of political subordination to the external dominance of the PLO "outside", which has prevented the development of a local leadership whose credibility and, as far as it is possible under occupation, accountability is to local residents. However, the commitment of the DOP to "free and fair" elections, if actualised, could offer the opportunity for the inside to strengthen its identity *vis-a-vis* the outside, with the legitimacy granted to elected officials. If the "outside's" transfer to the "inside" is accompanied by a commitment to making to an elected self-rule Council the genuine source of authority then this could further extend the democratic potential of the DOP by strengthening the international authority of the Palestinian side. Despite this, it is likely that such an opportunity will be squandered by the manipulations of the returning Tunis

bureaucracy which has traditionally subordinated the West Bank and Gaza Strip by means of (C) The pattern of factionalisation throughout Palestinian society:

(C) Factionalisation would, according to the hypothesis, undermine the plausibility of any faction functioning as a defender or upholder of democracy when they have failed to practice it internally and have formed competing authority structures throughout "civil society". These competing "states in waiting" would subvert any notion of a neutral state or autonomy authority by subjecting it to party domination. If excluded from state power they would have difficulty promoting the civil sphere that is vital to maintain the individual's freedom in the face of the state or governing authority, given that their own role as an authority structure - a competing "state in waiting" - has hitherto failed to assist such a development.

INTRODUCTION

Subsequent to the completion of this paper, the signing of the May 4th Cairo Agreement put a little flesh on the bones of the outline of principles provided by the DOP. As a result, it was taken by the Palestine People's Party (PPP) as a cue to further distance itself from the autonomy arrangements, following criticism of the first Cairo Agreement of February 9th on security at border crossings and inside the self-rule areas (see Chapter 1). The former Communists even went to the extent of refusing to acknowledge that one of Chairman Arafat's appointees to the Palestinian authority that technically took over in Gaza-Jericho on May 17th - Abd al-Hafiz Hashab, a figure traditionally associated with them - was not one of their representatives.

Their main complaint is that the May 4th agreement legitimises settlements, something which is hard to reconcile with their support for the DOP which gives highly problematic security guarantees for the settlers, promising to defer discussion on them until the beginning of the third year of self-rule with the objective of securing a final, permanent solution to the Israeli-Palestinian conflict after five years. The PPP General Secretary, Bashir Barghouthi, has subsequently inferred that his party was unlikely to participate in elections to the self-rule Council on the basis that the Cairo Agreement had made clear that the Authority would have no legislative empowerment. If maintained, such a position, in line with the official Hamas stance, will be insufficient to engender a united "Left" front of opposition given the fact that the PPP still backs the DOP, which gave little by way of firm commitment to a legislative authority. Barghouthi's fear of the resultant executive-dominated authority ensuring an undemocratic system devoid of a separate legislative authority to "check" it, is in line with the dangers inherent in the extant draft constitutions (Chapter 4>) whose proposed executive-led structure would be reinforced by a "legislative" assembly with little legislative authority to exercise (1).

There is concern in some quarters that Israel and the PLO, by signing such agreements, are taking upon themselves the right to make very limited interpretations of the commitment of UN resolutions 242 and 338 to territorial withdrawal and the solving of the "refugee problem", in the absence of a UN-sponsored international conference to resolve the conflict. However, this has to be balanced by the fact that neither side is claiming that the DOP nor the Gaza-Jericho agreement (May 4th) is the final actualisation of such resolutions, rather such agreements are being made in the context of both parties' shared, if hardly compatible, interpretation of resolutions which the DOP says the permanent agreement will be the implementation of. This bi-lateral approach to what the UN and the Madrid conference had made an international issue, and the danger, in the eyes of some Palestinian critics, that it will lead to the permanent presence of some Israeli settlements and/or troops in contravention of the above UN resolutions, is at the root of the DOP. Thus what critics regard as the latter's "legitimisation of the settlements" is merely affirmed by subsequent agreements.

FIDA (Palestinian Democratic Union), despite remaining broadly supportive of the post-DOP agreements, sees within the clauses of the May 4th Cairo Agreement limitations on the authority they envisaged Palestinians exercising under the original Oslo Accord. An examination of the May 4th agreement suggests that the all-important issue of legislative empowerment - which this paper emphasises is key to considerations of the degree of democracy that can be practiced under the DOP - is no more compromised than under the DOP itself, which made clear that the self-rule Council for the West Bank and Gaza Strip, following the interim agreement on the extent of its powers, would be subject to a "joint review of existing laws and military orders" (Article VIII). This is mirrored in the May 4th agreement's "Joint Civil Affairs Co-ordination & Co-operation Committee" and its "Legislation Sub-committee" in which Israel can insist on joint discussion of any proposed change to extant legislation by the Palestinian authority for Gaza-Jericho. Perhaps it is the realisation of potentially having to subject each separate piece of proposed legislation to a joint examination on the basis that otherwise, "Laws and military orders in effect in the Gaza Strip and Jericho area prior to the signing of this Agreement shall remain in force," (2) that has

aggravated those who had not previously envisaged "joint review" as a veto over everything the Palestinian authority wishes to do.

The May 4th agreement does not abrogate the commitment to Palestinians exercising "authority" over education, health, direct taxation, welfare, and tourism, but, like the DOP, makes this "authority" qualified by extant military orders with no guarantee of their cancellation. As this paper argues, deferring the determination of what the real *extent* of Palestinian self-rule under self-rule will be, makes accurate predictions concerning the power of the Palestinian authority in Gaza-Jericho, and in the projected Council for the West Bank and Gaza Strip, very difficult. However, the May 4th agreement has confirmed what was already apparent in the DOP, that authority in Gaza-Jericho would be of a limited nature until the interim agreement on what the powers of the Council will be, which will likewise be subject to the above "joint review". Some critics have pointed to the May 28th PLO-Israeli economic agreement signed in Paris as indicative of the limited empowerment under the DOP, at least in the Gaza-Jericho phase. Certainly its quotas on crucial agricultural and dairy exports to Israel, as well as on specific imports like cars - insisted on by Israel in order to uphold its economic advantage - suggests significant limitations on economic self-determination. However, there is little in the post-DOP agreements to suggest a major deviation from the limited authority proposed by the DOP itself.

Expansion beyond the limited territorial scope of Gaza-Jericho and of what appears to be its non-territorial, municipal authority, will to a large extent depend on elections which require the completion of an interim agreement on self-rule for the rest of the West Bank as well as Gaza.

A further commitment to those elections was contained in "The Palestinian Authority Political Programme", released in May 1994, which described the Authority as "a temporary interim authority, dispensing its tasks until general elections take place" (3). However, the potential for an elected self-rule authority to be the means for the "inside" to genuinely assert itself over the "outside" for the first time, has been qualified by subsequent developments that have meant that key members of the outside will be able to stand for election to the Council as a result of Chairman Arafat's adroit decision to

redeploy his own political forces in Gaza-Jericho prior to elections, and the seeming lack of opposition from Israel over the candidature of those from "outside". The Chairman's confirmed appointees to the "Palestine National Authority" have thus far been predominantly "insiders"; under his chairmanship, however, there will be nothing to stop returnees becoming candidates prior to self-rule elections which the "Presidentially-decreed" Committee for Local Government & Elections, under Saeb Erekat, has announced will now take place in October 1994.

The aforementioned "Political Programme" of the new authority makes clear its subjection, prior to elections, to the PLO: 'The authority was established through a decision from the PLO - the sole legitimate representative of the Palestinian people - as an extenuation (sic) of the PLO. The authority will gain its legitimacy from the PLO, which will remain its political and legislative reference' (4). Subordination of an *elected* authority -which officially gains its legitimacy from the people - will, as the review of the draft constitutions (Chapter 4>) suggests, be realised through an executive dominated system lacking any requirement to elect the president, whose legitimacy, like that of the self-rule authority, comes from the PLO, not the people. Concerns over the likely democraticness of the future authority are encouraged by the fact that Arafat has reconstituted the municipalities of Gaza, Nablus and Jericho by appointment only, causing some concern that those lacking a mandate are taking up key positions of authority without any wider accountability, despite diplomatic attempts to involve the opposition.

It remains to be seen whether an elected self-rule Council will be allowed by Arafat to assert itself as a key source of Palestinian authority under self-rule. If it is - whether made up of outsiders or insiders - it would thus have the legitimacy and authority to strengthen Palestinian demands as a "government-in-waiting" (Chapter 5>). The authority being wielded by the returning security chiefs in the Gaza-Jericho area - after Israel's redeployment in mid-May - followed by official confirmation via presidential decree that Arafat is preparing to reconstitute the PLO in the self-rule areas, with seemingly only "foreign minister" Farouk Qaddoumi's opposition ensuring that the Political Department which he heads will remain "outside", suggests that any hope that an elected authority could finally presage the victory of inside over outside is a little forlorn. Ibrahim Abu-Lughod, vice-

president of Birzeit University, reflected an increasingly widespread Palestinian perception when he said recently that Arafat's redeployment effectively meant that the PLO was dead (5). It does appear that Arafat is manoeuvring to ensure that when he returns to what is only a self-rule area he will not be challenged by PLO officials outside still acting as the "liberation organisation" of the whole diaspora. It may be that this will ensure that the opposition's distancing of itself from the PLO as currently constituted will lead, inexorably, to them becoming the new PLO "outside".

Despite this, the preponderance of local figures (some of whom have been very critical of the May 4th Gaza-Jericho agreement) in the "provisional" authority, and their likely substantial presence in an elected self-rule Council, suggests they will be a significant force, possessing their own local power base, and not easily disregarded, despite being themselves originally Arafat appointees. A further challenge to the imposition of the Tunis bureaucracy locally could come from the frustrations of younger Intifada activists (Chapter 3>), thus far denied significant political power. For these reasons, some observers are already suggesting that the emergent "preventive security apparatus" being erected by Arafat's appointees - who, with the assistance of an already large police presence, are taking over on the ground - is indicative of where the real authority will lie, rendering the possible conduct of democratic elections an empty, meaningless ritual.

June 16th, 1994.

(1) Bashir Barghouthi, 'There is No Meaning in Elections Without a Legislative Assembly', *Al-Tali'a*, June 16th, 1994.

(2) Quoted p6, *Palestine Report*, May 8th, 1994

(3) Quoted p4, *Palestine Report*, June 5th, 1994.

(4) Ibid.

(5) Source, Sarah Helm, *The Independent*, June 11th, 1994.

president of Birzeit University, reflected an increasingly widespread Palestinian perception when he said recently that Arafat's redeployment effectively meant that the PLO was dead (5). It does appear that Arafat is manoeuvring to ensure that when he returns to what is only a self-rule area he will not be challenged by PLO officials outside still acting as the "liberation organisation" of the whole diaspora. It may be that this will ensure that the opposition's distancing of itself from the PLO as currently constituted will lead, inexorably, to them becoming the new PLO "outside".

Despite this, the preponderance of local figures (some of whom have been very critical of the May 4th Gaza-Jericho agreement) in the "provisional" authority, and their likely substantial presence in an elected self-rule Council, suggests they will be a significant force, possessing their own local power base, and not easily disregarded, despite being themselves originally Arafat appointees. A further challenge to the imposition of the Tunis bureaucracy locally could come from the frustrations of younger Intifada activists (Chapter 3>), thus far denied significant political power. For these reasons, some observers are already suggesting that the emergent "preventive security apparatus" being erected by Arafat's appointees - who, with the assistance of an already large police presence, are taking over on the ground - is indicative of where the real authority will lie, rendering the possible conduct of democratic elections an empty, meaningless ritual.

June 16th, 1994.

(1) Bashir Barghouthi, 'There is No Meaning In Elections Without a Legislative Assembly', *Al-Tall'a*, June 16th, 1994.

(2) Quoted p6, *Palestine Report*, May 8th, 1994

(3) Quoted p4, *Palestine Report*, June 5th, 1994.

(4) Ibid.

(5) Source, Sarah Helm, *The Independent*, June 11th, 1994.

Chapter 1

The Declaration of Principles and Democracy

The signing of the Declaration of Principles (DOP) was met with public expressions of euphoria throughout the Occupied Territories. People of all ages, and from all walks of life - from Gazan refugee camps to relatively prosperous East Jerusalem suburbs - momentarily escaped the daily rigour of occupation and the strike-induced emptying of the streets every afternoon, in order to celebrate until the small hours; buoyed up by the natural high induced by the belief that the long dreamed of statehood might become reality.

However, it seems that the Palestinians have ever since had to endure one long hangover from the awesome intrusion of reality in the cold light of the morning after. Despite this, opinions are as divided today about the prospects for the future as they were when the careful choreography of the Hollywood-style ceremony took place. Polls may shift in the direction of negative, but the reality is that around two thirds of Palestinians resident in the Occupied Territories on September 13th supported the Agreement, and that around half still do (1). What to psephologists may be a numerical shift tantamount to a statistical landslide, is in reality a general indication of sustained deep division within the Palestinian national camp as to the merits of the DOP, with the factional expression of this polarisation of opinion still suggesting an on-going majority in favour of those backing the current political process. The highly visible and photogenic responses witnessed in some quarters on the night of the signing, was, and is, numerically matched by a mixture of ambivalence and outright opposition - sentiments which are more difficult to mobilise, for reasons of inertia and illegality, respectively.

Aside from the various factors militating against sympathy for the Agreement, be they distrust of the other side, or outright sectarian loyalty, the basic truth of what has been called elsewhere its "constructive ambiguities" makes cautiousness, at the very least, easy to understand. The first factor to consider when examining the details of the Agreement itself, is what, by its own definition it plainly is not. It is not an interim agreement, in

fact it is not even an agreement, in any concrete or conclusive sense, at all. It is, as its title makes plain, *A Declaration of Principles on Interim Self-Government Arrangements*. As such, it merely represents a commitment to the Gaza-Jericho phase. This "phase" is a period of self-rule for Palestinians living in the Gaza Strip and the West Bank town of Jericho. The form that self-rule will take and the exact territorial scope of the area in Jericho in which it will be exercised is unclear. The Gaza Strip is a geographically-distinct territorial unit, but disputes have obviously arisen as to whether the territorial extent of Jericho is to be limited to small extensions of the 25 square km the Israeli military authorities have defined it as since 1967, or the somewhat more substantial 350 square kilometers Palestinians argue was the extent of its boundaries under the former Jordanian regime.

At the time of writing, the issue of where Jericho's walls should fall - or rather be founded - is to still to be resolved. The February 9th Cairo Agreement, signed by Israeli Foreign Minister Peres and PLO Chairman Arafat in the Egyptian capital, under the fatherly gaze of President Mubarak, had overcome the impasse in negotiations since the DOP's scheduled date for the beginning of the Israeli troop withdrawal from Gaza and Jericho had proven impossible to adhere to. The withdrawal from Gaza and Jericho, or redeployment as the Israelis began to reinterpret the DOP, was delayed on three key issues: Jericho's territorial scope, an issue of obvious importance in defining an area to be "withdrawn" from; border control; and security arrangements for the roads that Israeli citizens resident in the settlements in Gaza and, depending on its size, Jericho, would have to travel on. The latter two key issues were resolved in the Cairo Agreement (Feb. 9th) to the obvious advantage of the Israelis; without contradicting the DOP, to the extent that one can be so certain about such an ambiguous document.

The issue of who would be responsible for the security at the border crossing between Egypt and the Gaza Strip at Rafah, and at the Jordan River crossing linking the Hashemite Kingdom with the West Bank, was seemingly such a matter of national honour for the PLO Chairman last December, that this apparent attempt by Israel to flout at least the spirit of the DOP, threatened to destroy the Agreement. In truth the DOP quite categorically states, as Israeli Prime Minister Yitzhak Rabin was quick to point out, that "external security" will be in the hands of the Israelis in the Gaza-Jericho area. For

Yasser Arafat to see Israel's logical attempt to actualise this by insisting that they control who enters the self-rule areas that will form part of the border between the Occupied Territories and neighbouring Arab states, as indicative that the Jewish state was attempting to create "a Bantustan solution" to its "Palestinian problem", said far more about the limitations of the Agreement he had signed than it did about any supposed subsequent attempts at shifting the goalposts.

The Cairo Agreement finalised the long-expected "compromise" of dual control over the border crossings, which rescued the Chairman's injured national pride with some of the national symbolism that he is reputedly so keen on: ensuring that the Palestinian flag would fly over the borders of the new national entity and that Palestinian police, resplendent in their shiny new uniforms, would officiate over the entry into "Palestine" of people from its brethren states. A man who often appears to be more concerned about whether his countenance will appear on Palestinian stamps and coins, than on issues of legislative authority or economic development, was given the carrot of a Palestinian presence to facilitate his agreement to sharing responsibility with the IDF border police; leaving ultimate authority on the border crossings still being very much, as the DOP specified, in Israel's hands.

One of the key flaws in the DOP is its acceptance that all the Israeli settlements in the territories occupied in the course of the 1967 War shall remain in the interim period. It is of course this that enabled the signing to take place, anything less would have been almost impossible for an Israeli Government - mirroring its own society's division between Zionist hawks and doves - to concur to. The settlements themselves make anything more politically empowering than autonomy impossible, because their presence necessitates the denial of Palestinian sovereign authority merely to ensure that their inhabitants can be afforded, from the Israeli point of view, adequate protection.

Thus the other issue resolved in the February 9th Cairo Agreement in accordance with the perception of autonomy that characterises the DOP, was the control over roads in Gaza-Jericho. The practical limitation on self-rule represented by maintaining the settlements in the interim period is

Yasser Arafat to see Israel's logical attempt to actualise this by insisting that they control who enters the self-rule areas that will form part of the border between the Occupied Territories and neighbouring Arab states, as indicative that the Jewish state was attempting to create "a Bantustan solution" to its "Palestinian problem", said far more about the limitations of the Agreement he had signed than it did about any supposed subsequent attempts at shifting the goalposts.

The Cairo Agreement finalised the long-expected "compromise" of dual control over the border crossings, which rescued the Chairman's injured national pride with some of the national symbolism that he is reputedly so keen on: ensuring that the Palestinian flag would fly over the borders of the new national entity and that Palestinian police, resplendent in their shiny new uniforms, would officiate over the entry into "Palestine" of people from its brethren states. A man who often appears to be more concerned about whether his countenance will appear on Palestinian stamps and coins, than on issues of legislative authority or economic development, was given the carrot of a Palestinian presence to facilitate his agreement to sharing responsibility with the IDF border police; leaving ultimate authority on the border crossings still being very much, as the DOP specified, in Israel's hands.

One of the key flaws in the DOP is its acceptance that all the Israeli settlements in the territories occupied in the course of the 1967 War shall remain in the interim period. It is of course this that enabled the signing to take place, anything less would have been almost impossible for an Israeli Government - mirroring its own society's division between Zionist hawks and doves - to concur to. The settlements themselves make anything more politically empowering than autonomy impossible, because their presence necessitates the denial of Palestinian sovereign authority merely to ensure that their inhabitants can be afforded, from the Israeli point of view, adequate protection.

Thus the other issue resolved in the February 9th Cairo Agreement in accordance with the perception of autonomy that characterises the DOP, was the control over roads in Gaza-Jericho. The practical limitation on self-rule represented by maintaining the settlements in the interim period is

obviously reflected in the agreement that Israel will be responsible for the policing of roads in the Strip which both link each settlement block together, and in turn link them to Israel. Arrangements within the Jericho enclave will obviously be affected by the eventual determination of its size, but the Feb. 9th Cairo Agreement has already decreed that the joint patrols that will be deployed on the main roads linking the settlement blocks to Israel in Gaza, will also be deployed in Jericho. However, in the case of Jericho these will be Palestinian-led. If the area eventually agreed for the Palestinian autonomous enclave encompasses the settlement of Na'ama, then it is likely a new road will be built to enable settlers to avoid going through the neighbouring Palestinian village of O'uja. No doubt its security would be chiefly the prerogative of the Israeli Defence Forces (IDF).

Following the conclusion of the Feb. 9th Cairo Agreement, Israeli troop withdrawal - or redeployment from the self-rule areas of Gaza-Jericho - can begin, having supposed to have taken place within two months of the signing on September 13th. Much newsprint has already been taken up with speculation concerning what the DOP calls "self-rule" will mean for Palestinians living in the Gaza-Jericho area, and whether its scope can be extended both politically and territorially. The DOP is not an interim agreement. Article I says that the *objective* of the negotiations, for which the Agreement is just a Declaration of Principles, is to "establish a Palestinian interim self-government authority (the elected Council) for the Palestinian people in the West Bank and Gaza Strip" (2). However, the DOP does commit the two signatories to a timetable - although as Rabin has amply proven, "there are no holy dates" - which reading the Agreement logically necessitates the completion of an Interim Agreement prior to the conduct of elections to the self-rule Council. According to Article III, elections will take place to the Council, "in order that the Palestinian people of the West Bank and Gaza Strip may govern themselves." (3) The Council, described variously as the National Council or National Authority Council by the PLO, is an agreed "principle" of the Declaration, and elections to it are, according to the "holy date" specified in the DOP, supposed to take place within nine months of the signing. i.e. July 13th, 1994.

Article VII, on the "Interim Agreement", states that such an agreement will be negotiated in order to specify what the executive, legislative and judicial

authority of the Council will be, and, more prosaically, its structure and number of members. In other words, although many Palestinian critics of the DOP repeatedly say it will be, "*Gaza-Jericho First* and last", the DOP contains within its very articles the commitment to a Council whose *raison d'être* is to effect the proposed "self-government" for *all* the Palestinian people in *all* the West Bank and Gaza Strip, excepting the settlements and East Jerusalem which are to be discussed as part of a final status agreement. If the DOP does prove its critics correct, and turn out to be "*Gaza-Jericho First*", last and always, then the DOP's express commitment to elections will have to be abandoned because it is elections to the Council which necessitate an Interim agreement on the transfer of authority, and its extent, over an area far in excess of just Gaza-Jericho.

Article VI clearly states that authority - or "the authority" in the Arabic version - for the five spheres of education and culture, health, social welfare, direct taxation, and tourism will be passed to "authorised Palestinians". The "transfer of authority from the Israeli military government and its civil administration" in these areas will be of a "preparatory nature until the Inauguration of the Council." Until the latter assumes authority, negotiations can be undertaken for "the transfer of additional powers". So, prior to the initiation of the interim period, following the successful conclusion of an Interim Agreement, the "*Gaza-Jericho First*" phase will involve the exercise of authority by "authorised Palestinians" which may not be extended by subsequent negotiation, although the DOP does require the extension of the *territorial scope* of such authority. Thus the issue becomes not whether the DOP is *Gaza-Jericho First* and Last, but whether it is what the BBC characterises as "limited autonomy", first and last. The five spheres do not, however, constitute the totality of the limited autonomy to be exercised *post* Gaza-Jericho. The Council will, upon its inauguration, set-up a Palestinian Electricity Authority, a Gaza Sea Port Authority, a Palestinian Development Bank, A Palestinian Export Promotion Board, a Palestinian Environmental Authority, a Palestinian Land Authority and a Palestinian Water Administration Authority. However, what "powers and responsibilities" they will exercise will not be decided, according to Article VII, until the Interim Agreement. But the proposal in Annex III for a variety of joint Israeli-Palestinian economic development projects covering the same areas, suggests that they are not envisaged as having independent authority over resources of crucial importance to the Israeli economy and to

Israeli settlements.

However, to recapitulate, giving authority to the Gaza-Jericho entity beyond the five spheres depends on the holding of elections to the self-rule Council. Prior to their scheduled conduct this July, "limited autonomy" will be limited to the power to administrate. The existing one thousand plus Israeli military orders are not scheduled for review until negotiations on the Interim Agreement begin, when legislative authority, the power to enact Palestinian laws governing the provision of the above five spheres, will be discussed, as will the role of the aforementioned "boards". Dr Atif Adwan, Professor of Political Science at the Islamic University in Gaza City - and recent returnee following the mass deportation of 415 suspected Islamic activists to Lebanon in December 1992 - characterised such authority as like the pre-Intifada placing of Palestinians in administrative posts in the Israeli-controlled civil administration. Although Gaza-Jericho would strictly be a Palestinian civil administration, the extent of their authority would not be much greater than their tokenistic Palestinian forebears, making the oft-remarked characterisation of "administrative autonomy" an accurate one.

It can be argued that the pre-Council self-rule arrangements of the DOP are as firmly in line with the Camp David autonomy proposals that were opposed by the PLO, as is the timeframe it envisages. Although it is impossible to ascertain exactly what autonomy under Camp David or self-rule under the DOP either would have meant or will mean in the future, both agreements commit Israel to nothing more concrete than administrative concessions to a Palestinian entity, with the proviso that negotiations over the final status of the West Bank and Gaza Strip begin no later than the third year of the beginning of the transitional period. Critics of the DOP often point out that at least the much maligned Camp David Accord did not specifically rule out East Jerusalem or the settlements from the jurisdiction of its proposed "Self-Governing Authority (Administrative Council)". What is more, it did not limit self-government, at least initially, to the area of Gaza-Jericho. Leaving comments regarding what Camp David did not *specifically exclude* aside, such a negative comparison, in terms of what each accord unequivocally *agrees to*, rings largely true.

However, the fact that power to initiate legislation, i.e. to do rather more than be what Camp David calls an "Administrative Council", is envisaged in the DOP as a matter for negotiation as a vital prerequisite for initiating the interim phase, rather than being postponed to discussion on the final phase, makes the DOP qualitatively different, at least. Clearly Rabin, like Menachem Begin, the Israeli Prime Minister who signed the Camp David Accord, is not in favour of a Palestinian state. However, Palestinian rejection of Camp David, and the fact that Israel was not constrained by any internationally-backed peace process with the Palestinians, made it easier for Israel to attempt to promote a "nigger mentality" with the introduction of the Village Leagues (4), to annex East Jerusalem, and to dissolve the local nationalist leadership provided by the National Guidance Committee (>). Ultimately, the Israeli government was able to attempt to apply a "final solution" in Lebanon to the *political* problem of the existence of the PLO; and even, in Sabra and Shatilla, of the Palestinian *people* who gave its fighters succor. In other words, after failing to find a political solution by co-option, Israel tried to induce capitulation, before attempting outright destruction. The Israeli political project behind the DOP has to be seen in the light of the above failures and the subsequent nationalist revolt represented by the Intifada. Rabin wants, by his own admission, to "end the occupation of another people" (5), whilst maintaining the security of the Israeli people. Begin, in contrast, was an ideologue who believed "Judea and Samaria" were part of the Land of Israel and thus a natural territorial cause for a Zionist to fight for. He could offer Palestinians municipal autonomy, but not any sovereign control over Palestinian territory.

The question regarding the future of the DOP is, *Is the preservation of Israeli security compatible with "ending the occupation of a people", but incompatible with ending, even only in part, the occupation of territory?* Occupation does not need troops in "populous Arab areas" - to use the Israeli Labor Party jargon since the Allon Plan (6) - to maintain control over the lives of the inhabitants.

The issue of the potential of the DOP for the development of democracy in the West Bank and Gaza Strip is particularly dependent on whether its commitment to negotiations over the rescinding of military orders and the

actualisation of Palestinian legislative empowerment can be more than just words. Without autonomy transcending the administrative or the municipal, and meaning genuine self-government, then the discussion is merely about the potential for democratising Palestinian life under Israeli occupation. This may not be as entirely cut and dried an issue as it appears, but what empowerment potential there is will obviously be entirely circumscribed by the conditions of occupation.

This does not mean that, generally-speaking, all forms of authority or government have to possess complete sovereign independence to be considered democratic. Local government - for that matter municipal councils under a future Palestinian authority - can be democratically-elected and accountable. It can be ceded real powers of self-government, even to the extent of enjoying significant legislative authority as witnessed with the Federal *Länder* within Germany and the federal states in the USA. Federal systems allow relative sovereignty over constitutionally demarcated areas of authority to be given to federal governments within each region of the nation state.

However, it is obvious that the absorption of "Palestine" into Israel, at least from the Palestinian point of view, is not on the agenda. Absorbing a people desiring national self-determination into an entity in which the ultimate, central government, would be Israeli, rather than a pooling of sovereignty as in the case of the European Union, is not a serious issue for the Palestinians. Likewise, pooling sovereignty *within* Mandate Palestine would, for the Israelis, be the denial of Zionism. The enjoyment of authority by Palestinians over their lives necessarily requires the enjoyment of sovereign territorial control over at least part of the area advocated by the now *internationally* acknowledged "legitimate representative of the Palestinians", the PLO, as constituting their state. Without sovereign authority, the Palestinians' exercise of democracy will be akin to the practice of municipal government in the west. Although potentially possessing legislative power that would mark it out from a local government system in Britain, for instance, that has been reduced to little more than a dispenser of central government largesse, it would likewise be beholden to the whims of a central authority, in this case Israel, whose power would seriously undermine the democratic accountability of a Palestinian "national" authority to its "national" electorate.

Without a central authority with ultimate responsibility that Palestinians can lobby without having to be absorbed into an Israeli state that would be loathe to undertake such a demographic political time bomb, then democratic empowerment for a people, rather than local accountability for individuals, is non-existent. This "central authority" may of necessity fall short of complete sovereign national independence, but in today's interdependent world this 19th century European ideal is increasingly outmoded. Many countries whose national sovereignty is undermined by the external pressure, even control, wrought by international trade, military alliances, and political partnerships are considered democratic.

The issue of democracy under self-rule inevitably comes down to speculation about the future progress of negotiations and what Israel may wish to concede and what the PLO can do to advance the process to its advantage. However, it is not the purpose of this research to consider what the Israelis are willing to concede - whether it is statehood or somewhat short of this. Speculation abounds over what the red lines within the ruling Labor Party are, and whether it is being driven by a Foreign Ministry double-act of leading doves Peres and Beilin. Clearly there were differing motivations in signing the DOP in the case of Rabin and Peres, but regardless of which of them is prime minister, or even which party is in power in the future - providing the DOP is not abrogated under a change of Israeli government - the question is can a future Palestinian authority exercise power democratically? We have already ascertained that within the confines of autonomy, whether municipal or legislative, democracy will inevitably fall somewhat short of empowering a people to collectively determine their lives and to hold their leaders accountable for their affairs, as a government would ordinarily be. What now needs examination is whether a future authority can rule democratically, within the confines of the authority available to it. The parallel with a municipal authority is exemplified by the fact that it will, according to the DOP, have tax-raising powers which, at the very least, will enable it to exercise some autonomy over the running of the five spheres allocated to it. Even if this "administrative autonomy" remains confined to the Gaza-Jericho area alone, it will still be possible to practice democracy as an elected authority akin to a local council that is accountable to an electorate for its administration of finances accrued from their taxes. If it limits its resources to the conduct of "good government" on this strictly municipal

basis, and the maintenance of law and order within its territorial confines (rather than deploying what will initially be a 9,000 strong Palestinian Police Force to delimit the enjoyment of free speech and freedom of movement) then its conduct can be adjudged "democratic", albeit on a strictly limited basis.

However, it is impossible to come up with such a bland formulation of local democracy without reflecting on the inevitable pressures that would exist in Gaza-Jericho that would make this extremely problematic. Such a police force, for instance, would not exist in a vacuum. It seems clear that the DOP's commitment - Article VIII - to the establishment of a "strong police force" to "guarantee public order and internal security for the Palestinians of the West Bank and Gaza Strip" (7), will mean Palestinian police "collaborating" with their Israeli counterparts to protect the settlers whose presence in the transitional phase has been guaranteed by the DOP. The PLO's commitment to a negotiating process that will postpone even discussion of the issue of settlements until the third year of self-rule will make it virtually impossible to proceed in tandem with the Israelis whilst protecting Palestinians it knows to have violated the DOP-legitimised "right" to reside in the Occupied Territories in the interim period. Ziad Abu Zayyad, a senior delegate to the multilateral talks on regional security, said, "It will be the responsibility of the Palestinian authority to protect the lives of the settlers while they are moving on the roads. Now if somebody comes to attack the settlers, he will only be trying to violate the whole Agreement...such an attempt should not be accepted by the Palestinian authority."

For Palestinians resident in the West Bank and Gaza Strip, regardless of whether they support the DOP or not, the prospect of "their" authority siding with the Israelis against Palestinians who may be adjudged legitimate resisters to illegal occupation, may be hard to square with notions of democracy. Expectations that "their" government will look after "their" interests will inevitably be frustrated by a Palestinian authority risking the anger of many, possibly the overwhelming majority of its citizens, by acting according to the vagaries of an Agreement no Palestinian voted for. Indeed, it is this simple truth that paradoxically both underpins, and threatens to undermine the whole Agreement. An Agreement that from the Israeli point of view is a means to resolve the problem of the Palestinian

inhabitants of the West Bank and Gaza Strip, hardly addresses the issue of the majority of Palestinians who form the Palestinian diaspora. Hence the accusations levelled against the PLO that it has emphasised its abandonment of its former role as a national liberation movement, not only by signing a compromise peace, but by agreeing to one that appears to abandon the majority of the nation, who, along with the residents of the Occupied Territories, were given little say in the decision taken in their name.

Edward Said has commented:

"The PLO has transformed itself from a national liberation movement into a kind of smalltown government, with the same handful of people in command...I count no more than a handful of people, including Arafat, who with scant legal background or experience of ordinary civil life, holed up in Tunis, have hatched decisions affecting almost six million people." (8)

So any examination of what is actually written in an agreement that was devoid of democracy in its conception and in the process of its negotiation - for both Palestinians and Israelis for that matter - reveals that, to the extent that we can discuss democracy at all, we must exclude the majority of Palestinians who with one voice unanimously demand a collective solution to their national plight. However, it is incorrect for Said, along with many other critics, to argue that "there is no mention of the Palestinians who do not reside on the West Bank and Gaza" (9), given that Article XII commits the signatories to invite Jordan and Egypt to join with them in founding a "continuing committee" with the explicit commitment to agree on the criterion for the "admission of persons displaced from the West Bank and Gaza Strip in 1967." But it is basically *correct* to see the DOP itself, despite being agreed with the PLO, as posited not on the Israeli desire à la UN Resolution 242 (to which it pays lip service in the preamble) to reach a solution to "the refugee problem", but to make a "secure peace" with the inhabitants of "The Territories", starting with what all Israelis see as best discarded, Gaza.

At minimum, in the interim phase at least, it can give Palestinians living in the West Bank and Gaza Strip little more than the fragile democraticness that

characterises local government systems witnessed in non-federal European states; at maximum, a quasi-legislative authority, that, being ultimately beholden to the political "centre" (Israel), would be non-sovereign and thus, by definition, not a democracy.

(1) See Jerusalem Media & Communication Centre (JMCC) opinion poll published in *Palestine Weekly*, September 23rd, 1993, and Centre for Palestine Research & Studies (CPRS) (Nablus) poll conducted January 16th and released January 30th, 1994.) No polling data from institutions opposing the DOP was available.

(2) Quoted page 350, PASSIA Diary 1994, Jerusalem.

(3) Quoted *Ibid.*

(4) The Village Leagues were first set-up by the Israelis in 1979, and were an attempt at inducing a 'collaborationist'-style series of councils based on the authority of some highly conservative local notables opposed to the PLO. The ill-fated venture eventually collapsed under the combined weight of PLO-Jordanian opposition by 1982.

(5) Quoted *Newsweek*, December, 1993.

(6) Former Israeli defence minister Yigal Allon's unofficial plan for territorial compromise with Jordan that has long been the model for both Labor's settlement and peace initiatives.

(7) Quoted PASSIA, *Ibid.*

(8) Quoted, page 9, *The Middle East*, December 1993

(9) Edward Said: 'The Israel/PLO Accord', An Interview for *Z Magazine*, New York, December 1993.

Chapter 2

Democracy and the PLO

Seeing positive hope for the future enjoyment of democracy in a Palestinian state, Manuel Hassasian has written that, "The Palestinian emphasis on majority rule in decision-making and the diffusion of power is a precondition for pluralist thinking and collective behaviour" (1). It has long been the contention of Palestinians without an oppositional axe to grind, that the PLO has a good tradition of pluralism and democratic decision-making that sets it apart from the highly centralised, authoritarian politics of the rest of the Arab world. It is to this effect that loyalists within Fatah today express optimism regarding the potential for democracy under a future national authority. Democratisation, it has been argued, has been a hallmark of the PLO and the Palestinian people since Yasser Arafat first took over the conservative-led liberation movement after the 1967 war.

Abdallah Frangi, a devotee of this line, has written that the *fedayeen* (guerilla) takeover led to the democratisation of the PLO, involving the election of the executive committee and the accountability of the chairman (2). It is undoubtedly true that following the victory of Palestinian nationalism within the PLO after the humiliating defeat of Arab nationalism in the 1967 war, the pluralistic entry of a variety of ideologically diffuse fedayeen guerilla groups into the PNC, chief amongst them Arafat's predominant Fatah faction, necessitated a decision-making structure that would maintain unity and order, under the guise of diversity and democracy. Although such an ostensibly pluralistic decision-making structure was entertained by the leadership on the basis that it was never able to challenge the hegemony of the leading faction and its head, Yasser Arafat, it genuinely did provide for an openness of debate unmatched by other "state" institutions in the Arab world.

The PLO was originally formed in 1964 at the behest of Egyptian President Nasser. Thus the quietistic, cautious approach of its leadership until after the 1967 war - conducting health and welfare programmes and doing little to realise its official aspiration to "liberate Palestine" - reflected its origins as a

largely symbolic by-product of inter-Arab rivalry, the latter being something the factions were likewise unable to break free of when they entered the PLO. Despite taking more of an assertively Palestinian liberationist stance post-1967, the PLO, from its earliest days, functioned by appointments and a top-down decision-making structure. Contrary to the claims of the official history, it has never been rooted in traditions of democracy or popular nationalist mobilisation, nor possessed any structural mechanism to articulate the "will of the people".

A formerly prominent Fatah leader, the late Salah Khalaf, commented that "real democracy should be based on dialogue prior to decision-making," and that "democracy is full participation in the decision-making process and total compliance to its resolutions." (3) Despite his prominence within Fatah, Khalaf was a perpetual critic of the PLO, which is in itself a positive reflection of the degree of open debate that it has entertained. However, his definition of democracy sits uncomfortably with a decision-making structure that has, since 1967, been so dominated by Fatah that "full participation" means the right to express a dissenting opinion in debates prior to decisions being taken by a dominant group over whom "the opposition" has no sway, regardless of the opinions of the Palestinian people whom they are supposed to collectively represent. In truth, this method of decision-making comes closer to Lenin's theory of party democracy, i.e. democratic centralism. This paradox, given the secular opposition's reverence for the political theories of the former Bolshevik leader, is not lost on Khalil Anini, the long-time Fatah organiser in the Birzeit area, who recently rejected the idea of a referendum on the peace accord following the opposition's success in the Birzeit University student elections, by saying, "Since 1965, the PLO has acted in accordance with democratic centralism. The declarations of support for the agreement suffice; as far as we're concerned, they amount to a referendum" (4).

Whatever the spuriousness of PLO "democracy", Dr George Habash, General Secretary of the Popular Front for the Liberation of Palestine (PFLP), accepted the "democratic decision" of the majority vote of the 19th PNC in favour of the Political Programme. This was despite being opposed to the Programme after Arafat's manoeuvring had turned it into a resolution legitimising Israel, given its effective commitment to the so-called two states solution. Habash

initially acted in perfect accord with Khalaf's above definition by being in "total compliance" with a resolution he had bitterly opposed. However, his apparent respect for the democracy of the new majority decision-making procedure at the PNC did not prevent the PFLP leader declaring the commitment to UN Resolutions 242 and 338 to be non-binding, and to subsequently denounce it as illegitimate.

Thus Khalaf's notion of democracy, i.e. "total compliance" to the PNC and to "unity", was in practice rejected by Habash. Initial rhetorical adherence soon gave way in practice to rejection of an apparently "democratic decision". In truth, Khalaf's perception of democracy as "total compliance" with decisions democratically taken is itself more characteristic of the aforementioned ideas of Lenin on party discipline than parliamentary propriety; democracy is meaningless if the right to dissent is taken away as soon as a "majority" wins a vote. The right to oppose, within the framework of acceptance of the legal authority of those who are in the majority, is a fundamental tenet of democracy and can never be breached except in the name of an altogether different ideology.

Since 1988, "democracy" in the PLO has deteriorated to such an extent that even the above rudimentary exercise in consensus building can no longer hold sway over its constituent parts.

Dr Mohammed Jadallah, Chairman of the Union of Health Care Committees, and a figure associated with the Democratic Front for the Liberation of Palestine (DFLP), said recently, "If the PNC is democratically-elected, we abide by it, (but) the PNC is not existing anymore, it's a dead body of the past." The two leading secular fronts within the PLO have long been calling for the convening of the PNC on a "democratic basis" and from it, the election of the PLO's central council and executive committee according to the principle of proportional representation. Such demands are obviously heightened now, with the PLO's signing of the DOP without allowing the superficial democracy of a "fully participatory" debate to have taken place, either before or after the event. The unwillingness of the leadership to convene the PNC, and the inability of the opposition to compel it to, suggests that the PLO's conception of democracy is as good as over, thus confirming that the "Palestinian parliament" was hardly the lynchpin of

initially acted in perfect accord with Khalaf's above definition by being in "total compliance" with a resolution he had bitterly opposed. However, his apparent respect for the democracy of the new majority decision-making procedure at the PNC did not prevent the PFLP leader declaring the commitment to UN Resolutions 242 and 338 to be non-binding, and to subsequently denounce it as illegitimate.

Thus Khalaf's notion of democracy, i.e. "total compliance" to the PNC and to "unity", was in practice rejected by Habash. Initial rhetorical adherence soon gave way in practice to rejection of an apparently "democratic decision". In truth, Khalaf's perception of democracy as "total compliance" with decisions democratically taken is itself more characteristic of the aforementioned ideas of Lenin on party discipline than parliamentary propriety; democracy is meaningless if the right to dissent is taken away as soon as a "majority" wins a vote. The right to oppose, within the framework of acceptance of the legal authority of those who are in the majority, is a fundamental tenet of democracy and can never be breached except in the name of an altogether different ideology.

Since 1988, "democracy" in the PLO has deteriorated to such an extent that even the above rudimentary exercise in consensus building can no longer hold sway over its constituent parts.

Dr Mohammed Jadallah, Chairman of the Union of Health Care Committees, and a figure associated with the Democratic Front for the Liberation of Palestine (DFLP), said recently, "If the PNC is democratically-elected, we abide by it, (but) the PNC is not existing anymore, it's a dead body of the past." The two leading secular fronts within the PLO have long been calling for the convening of the PNC on a "democratic basis" and from it, the election of the PLO's central council and executive committee according to the principle of proportional representation. Such demands are obviously heightened now, with the PLO's signing of the DOP without allowing the superficial democracy of a "fully participatory" debate to have taken place, either before or after the event. The unwillingness of the leadership to convene the PNC, and the inability of the opposition to compel it to, suggests that the PLO's conception of democracy is as good as over, thus confirming that the "Palestinian parliament" was hardly the lynchpin of

Palestinian decision-making in the first place.

The widespread call amongst both the Palestinian opposition and independent critics, inside and outside the Occupied Territories, for elections to a reconvened PNC that would vote on the DOP and all future matters of national importance, thus restoring the credibility and authority of the PLO and its institutions, stands in marked contrast to the opposition's argument that the unelected 19th PNC had made "democratic decisions" in 1988. Despite having long perceived the PLO as a pseudo-democracy in the grip of one man, prior to the DOP the opposition still believed that the existing PLO institutions could heal themselves and were thus worth participating in. This view may have been encouraged by the fact that deputy general secretary of the PFLP, Abu Ali Mustafa, and the then chairman of the PNC, Abdel Hamed Al-Sayeh, were given the go-ahead by Arafat in 1988 to prepare for elections to the PNC across the Palestinian diaspora. Such a project came to little though with the unsurprising, and perhaps foreseen, refusal of the Arab states to allow democratic elections inside their countries.

It seems that we are witnessing a failure of constitutional propriety in the PLO rather than a collapse of democracy per se. Chairman Arafat's disinclination to seek approval from "the supreme decision-making body", the PNC, for his decision to sign the DOP proved to be the highwater mark of opposition cynicism regarding "PLO democracy". It is undoubtedly true that the Chairman's failure to convene the PNC has reduced it and the semblance of PLO democracy to a "dead body", as Jadallah says. However, the apparent attachment to the "rule of law" represented by demands for the PLO to uphold its own constitution and convene the PNC is undoubtedly an attachment to a characteristic of democracy, but hardly represents an assertion of its essence.

This vying for authority that has characterised the PLO since 1967 can also be seen as the product of a naked power struggle between competing ideological blocs and the rivalry of individual leaders whose vainglory and ability to engender foreign finance has encouraged the tendency to fractionalise. Such struggles can be cloaked in the mantle of democracy. But the various conflicts after Camp David, for instance, that were characterised

by the opposition as being waged between a "centralising, bureaucratic" Fatah "outside" the Occupied Territories" and the "democratic forces" spearheaded by the opposition factions "inside", had all the hallmarks of factional competition imposing itself on a conflict of authority between inside and outside.

The slow emergence of the West Bank and Gaza Strip as a distinct Palestinian political entity reached its apotheosis with the 19th PNC's near unanimous approval for the Declaration of Palestinian Independence. However, it was far from always thus, and is still struggling for its own identity vis a vis the PLO to this day. It is true that the occupants of the Occupied Territories have overwhelmingly identified with the PLO since the late 1960s - at least until the DOP - and have not necessarily seen their interests as divergent from those of its outside leadership. However, there have been a number of political developments since the 1970s, including the Intifada, that have witnessed an assertion by the "inside" of their identity vis a vis the "outside", and at the same time saw the latter attempting to ensure developments either extended, or at least did not threaten, their hegemony over the "inside".

The territories captured by Israel in the 1967 war obviously signalled the West Bank's release from the annexationist clutches of the Hashemite Kingdom and for the first time allowed for the possibility of the West Bank and Gaza Strip developing as a concrete national, if not sovereign, entity. Jordan's residual claims were never officially rescinded until the outbreak of the Intifada and the consequent bitter broadcast of King Hussein in April 1988; and even today it appears that a combination of Israeli and American political preference and economic necessity may reunite Amman with the West Bank in some form. The PLO's loss of an operating guerilla base in Jordan following the King's Black September onslaught in 1970 - combined with the signal failure of Arab nationalism once again to recover even one inch of Palestine in the 1973 war - encouraged the leadership to concentrate on building resistance "inside" as a means to strengthen the Occupied Territories' commitment to the PLO. This approach was actualised with the forming of the Palestine National Front (PNF), an alliance of factional representatives and some leading personalities; including elements within Fatah, the two leading Fronts, the Ba'ath, and the Communists (5). The PNF

was recognised by the PLO, and as such it reflected Tunis' recognition of the central importance of the Occupied Territories to both the Palestinian struggle and to its own struggle for hegemony over the Palestinians vis à vis the Jordanians and the overtures of the Israelis. As such, the PNF's organisation of a broad nationalist list in the 1976 municipal elections was of particular importance. According to Shaul Mishal, "It was intended (by its leaders) as the PLO's principle political instrument inside the Occupied Territories" (6). In this respect it was an assertion of authority by local leaders, whilst recognising that this could only be exercised in the context of overall PLO hegemony. This overall authority in the hands of PLO leaders got a tremendous fillip with the 1974 Arab League decision, in the wake of the 1973 war, to prioritise the Palestinian front in the struggle against Israel and declare the PLO "the sole, legitimate representative of the Palestinian people."

With the signing of the Camp David Accord by Israel and Egypt in 1978, once again a political movement on the ground in the Occupied Territories was seized upon by the PLO leadership in order to utilise it for its own purposes. However, the National Guidance Committee (NGC) proved immune to the blandishments of the "outside", equipped as it was with the democratic legitimacy of a leadership primarily consisting of nationalist mayors elected in 1976. Although the PNF had collapsed following Israel's clampdown and Fatah's withdrawal of support, the NGC could not be neutered so easily. Its assertion of the right of those living "inside" to formulate their own strategy on how to counter the Camp David autonomy plan was enthusiastically backed by the opposition who mobilised behind the NGC and revived the PNF as a structure for the local opposition factions and the nationalist mayors and their supporters to unite behind in order to challenge the attempt by the Fatah leadership, through the legitimising veil of its grip on the PLO, to be the principal actor in the politics of the West Bank.

Yasser Abed Rabo, the then deputy general secretary of the DFLP, commented at the time that because of the very different conditions lived by different Palestinian communities, "It is very natural that the task of directing the struggle and working out its tactics should fall on the shoulders of this or that organisation in the Occupied Territories." Such support from

the now leader of the Palestinian Democratic Union (FIDA) and close confidante of the Chairman in the recent negotiations, for the right of the Palestinians in the Occupied Territories to find their own political path has been less forthcoming regarding the decision to foist the DOP upon them.

The opposition factions viewed the NGC and the reconvened PNF as suitable vehicles to strengthen their own position against a PLO leadership they feared was less than resilient in its opposition to Camp David, and which subsequently encouraged such a perception by being prepared to ally with pro-Jordanians and the Jordanians themselves in order to defeat what had become forms of resistance to its hegemony.

Fatah's attempts to get the conservative, pro-Jordan mayors, Rashad Al-Shawa and Elias Freij co-opted onto the executive of the NGC was a singular failure and was revealing given their well-known sympathy for the potential for the Camp David autonomy plan to lead to independent Palestinian statehood in the West Bank and Gaza Strip. Fatah was, in truth, far from totally blind to what it adjudged to be the political potential of the Accord, and it sought to rein in the NGC's activism against it, declaring, as the PLO leadership, that the accords, "were under serious scrutiny and assessment." (7) Its favouring of the well-respected *hamula* (clan) chief Rashad Al-Shawa, the mayor of Gaza City, and Camp David sympathiser, has an obvious echo in the PLO leadership's current belief in the potential of the DOP to realise national rights and its desire to continue working through the Al-Shawa clan in Gaza to ensure it succeeds, as exemplified by Arafat's nomination of Mansour Al-Shawa as Gaza mayor during the Gaza-Jericho phase.

It is easy to disregard the fact that Fatah was, and remains, the effective PLO leadership, and thus to see the latter's tussles with other centres of power and/or Palestinian factions as a struggle between the PLO itself and its opponents. This is how Fatah would undoubtedly like to portray developments in the 70s and 80s, but although the PLO and Fatah are today as good as synonymous, it was not the case then. The secular opposition could mobilise in the name of the PLO and demand, as in the case of the NGC, that it be instated as an official PLO institution. In the same way, the opposition rallied behind the PNF as the leading opposition force in the Occupied Territories to the PLO leadership, and the PFLP organ *Al-Hadaf*

could argue that the reformed PNF was seeking to be the "sole political instrument of the PLO in the Occupied Territories" (8). Legitimacy was sought through the PLO, which could also advance individual factional interest. In this respect all the factions were and are alike.

Although the NGC was finally killed off due to the Israelis deciding to sack seven West Bank mayors affiliated with it, its position was already severely weakened prior to this, due, in no small measure, to Fatah's determination to crush it by both fair means and foul. Not the least of these was its electoral alignments with the political and spiritual fathers of Hamas: the Muslim Brotherhood; and its blatant betrayal of a potent symbol of Palestinian nationalism in favour of the East Bank variety, witnessed in its decision to allow Jordan to open its own passport offices in the West Bank, thus ensuring that the NGC mayors were denied the role of dispenser of the crucial travel documents. Fatah's strategy of prioritising its own hegemony regardless of the benefits to Jordanian nationalism, reached its apogee with the PLO-Jordanian Accord on future confederation. In the context of post-Beirut attempts by the USA to pursue the "Jordanian option", the preferred option of the Israeli Labor Party, this was too much for the opposition to bear, and they duly split into two rejectionist fronts after Syria had followed the turning of its guns on the PLO in Lebanon in support of Fatah rebels, with the promotion of the Palestinian National Struggle Front made up of the Rebels and a number of Damascus-based groups.

- (1) Quoted from 'The Democratisation Process in the PLO: Ideology, Structure, and Strategy', by Manuel Hassaslan; from 'Democracy Peace and the Israel-Palestine Conflict,' Edy Kaufman (ed.), 1993, Lynne Rienner, USA.
- (2) Abdallah Frangi, 'PLO & Palestine', Zed Books, London, 1983.
- (3) Quoted by Hassaslan, *Ibid*.
- (4) Quoted from 'Portent or Quirk?', Roni Ben-Efrat, *Challenge*, No 23, Jan-Feb. 1994, Jerusalem.
- (5) The Communists, the then Palestine Communist Organisation, played a leading role in the PNF's establishment, and, operating outside of the PLO until 1982, were the first Palestinian party to advocate a state in the West Bank and Gaza as a solution to the 'Arab-Israeli conflict'.
- (6) Quoted page 106, Shaul Mishal, 'The PLO Under Arafat - Between Gun and Olive Branch', Yale University Press, New Haven. 1986.
- (7) Quoted page 101, 'Palestine and Israel - The Uprising and Beyond', David McDowell, I.B. Tauris, London, 1989.
- (8) Translated from the October 13th edition and quoted by Mishal page 125, *Ibid*.